

Remarks

Claims 10-14, inclusive, are under consideration.

Claims 1-9, inclusive, have been canceled without prejudice in order to expedite the further prosecution of this application.

Claim 10 has been amended to further define the claimed invention and also to provide an appropriate antecedent for the expression "the control output signal." Full support for the claim amendments can be found in the specification at page 5, line 3, to page 6, line 24.

The double patenting rejection is now moot inasmuch as copending application U.S. Serial No. 10/465,219 has become abandoned by not responding to the outstanding Office Action in that application.

The present cancellation of claims 1-9, inclusive, has mooted the claim rejection based on Yamamoto et al. alone or in combination with Cote or Wasserman.

The rejection of claims 10-13 under 35 U.S.C. 102(b) as anticipated by Cote is not warranted and is hereby traversed. Claim 10, as amended, and thus also dependent claims 11-13 are readily distinguishable over Cote which shows the use of a pressure transducer 19 in conjunction with pneumatic loop 18 and rocker arm 14 to maintain web tension. In contradistinction, the presently claimed device determines, substantially instantaneously, the acceleration (negative or positive) of the dancer arm and applies appropriate torque to counterbalance the acceleration force so that the dancer appears to have "zero mass" vis-a-vis web dynamics. Cote clearly does not show such a web tensioning device.

The further rejection of claims 11 and 12 under 35 U.S.C. 103(a) over Cote in view of Kawabata et al., to the extent that it can be understood, is also unwarranted, and is hereby traversed. Kawabata et al. do not cure any of the deficiencies of Cote as a reference against these claims.

In addition, Kawabata et al. is not combinable with Cote because Cote adjusts web tension by positioning the arm 14 pneumatically whereas Kawabata et al. teach tension adjustment by repositioning the rotational centers of the guide rollers and the dancer rollers relative to one another so as to change the force components due to gravity.

Also, claims 5 and 6 of previously copending U.S. Serial No. 10/465,219 are not the same as present claims 11 and 12. No specific rejection has been stated vis-a-vis claims 11 and 12 with the required particularity mandated by 37 C.F.R. 1.104(c)(2). See also M.P.E.P. 707.07(d).

The rejection of claim 14 under 35 U.S.C. 103(b) as unpatentable over Cote is traversed as well. The distinctions over Cote pointed out hereinabove vis-a-vis claims 10-13 are equally applicable to claim 14. Moreover, nothing in Cote would have suggested to one of ordinary skill to utilize acceleration of the dancer arm as a control output signal for the application of a counterbalancing torque. The present claims 10-14, inclusive, define a device that utilizes a conceptually entirely different approach to web tensioning inasmuch as the instantaneous acceleration (positive or negative) of the dancer arm provides an output signal that calls for a web tension adjustment to maintain "zero mass." This is neither shown nor suggested by Cote.

The Smith, Cohn et al. and Borresen et al. references cited to show the state of the art have been reviewed with interest but are not deemed to vitiate patentability of the present claims.

The foregoing amendments and the accompanying discussion are believed to dispose of all issues in this case and to place this application in condition for allowance. Early such action is solicited.

Respectfully submitted,

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Amendments to the Drawings

The attached one sheet of drawings includes a change to FIGURE 1. The idler roll for web 14 has been identified by the numeral "40."

Attachment: One (1) Replacement Sheet for FIGURE 1.